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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Tucker et al.

Application No.: 09/164,714

Group Art Unit: 1633

Filed: October 1, 1998

Examiner: Wilson, M.

For: *MORAXELLA CATARRHALIS* OMP21 Attorney Docket No.: 7969-074  
POLYPEPTIDE, GENE SEQUENCE (Corrected Attorney Docket Number)  
AND USES THEREOF

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.56**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the references AQ through BH listed on the attached revised form PTO 1449. A copy of each of the references is enclosed herewith.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Attorneys for Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art."

As an alternative, submitted herewith are several pages of a "revised form PTO 1449" entitled

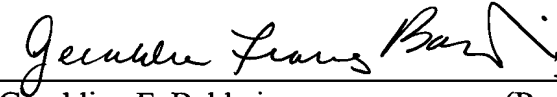
"List of References Cited" instead of "List of Prior Art Cited."

Applicants respectfully requests that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. §1.97, because this Information Disclosure Statement is being submitted after the mailing date of the first Office Action on the merits, a fee of **\$240.00** is believed to be due. If the Patent and Trademark Office determines otherwise, please charge any required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date: March 13, 2002

  
Geraldine F. Baldwin 31,232  
(Reg. No.)

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SUPPLEMENTAL LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)					ATTY. DOCKET NO. 7969-074		APPLICATION NO. 09/164,7	
					APPLICANT Tucker and Tillman		FILING DATE October 1, 1998	
					GROUP 1633			
U.S. PATENT DOCUMENTS								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	AQ	5,607,846	3/4/97	Murphy et al.				
	AR	5,808,024	9/15/98	Sasaki et al.				
	AS	6,090,576	7/18/00	Myers et al.				
	AT	6,214,981	4/10/01	Tucker et al.				
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AU	WO 96/34960	11/7/96	PCT				
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)								
	AV	Beachy et al., 1981, "Bacterial adherence: adhesin-receptor interactions mediating the attachment of bacteria to mucosal surface", 143:325-345						
	AW	Bogossian et al., 1993, Genome rearrangements by residual IS10 elements in strains of Escherichia coli K-12 which had undergone Tn10 mutagenesis and fusaric acid selection", Gene.133(1):17-22.						
	AX	Catlin et al., 1990, "Branhamella catarrhalis: an organism gaining respect as a pathogen", Clin Microbiol Rev. 3:293-320						
	AY	Helminen et al., 1992, "A Major Outer Membrane Protein of Moraxella catarrhalis Is a Target for Antibodies That Enhance Pulmonary Clearance of the Pathogen in an Animal Model", Infect. Immun.,61: 2003-2010						
	AZ	Helminen et al., 1994, "A large, antigenically conserved protein on the surface of Moraxella catarrhalis is a target for protective antibodies", J. Infect. Dis, 170: 867-872						
	BA	Kellens et al., 1995, "Evidence for Lectin-Mediated Adherence of Moraxella catarrhalis", Infection 23:37-41						
	BB	Klingman et al., 1994, "Purification and Characterization of a High Molecular Weight Outer Membrane Protein of Moraxella (Branhamella ) catarrhalis", Infect Immun 62:1150-1155						
	BC	Mbaki et al., 1987, Correlation between Branhamella catarrhalis Adherence to Oropharyngeal Cells and Seasonal Incidence of Lower Respiratory Tract Infections", Tohoku J. Exp Med., 153: 111-121						
	BD	Murphy et al., 1993, "The Major Heat-Modifiable outer Membrane Protein CD is highly conserved among strains of Branhamella catarrhalis", Molec. Microbiol. 10:87-97						
	BE	Sarwar et al., 1992, "Characterization of an Antigenically Conserved Heat-Modifiable Major Outer Membrane Protein of Branhamella catarrhalis", Infect Immun, 60:804-809						
	BF	Soto Hernandez et al., 1989, "Phenotypic Characteristics of Branhamella catarrhalis Strains", J. Clin Microbiol. 27:903-908						
	BG	Tucker et al., 1989, Annual Meeting of Amer. Soc. Microbiol. Abstr. K124						
	BH	Unhanand et al., 1992, "Pulmonary clearance of Moraxella catarrhalis in an animal model", J. Infect Dis. 165:644-650						
EXAMINER					DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								